

# 85-224-A 85-224-A

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1801.2-C.6 (V.B.7-C.M.D.P.) to permit a private space

factor of 300 square feet instead of the required 500 square feet and to

amend the Franklin Ridge Townhouses development plan by building a deck outside of the permitted building area.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

1. Backyard unusable due to poor drainage, property remains wet.
2. Above ground storage of firewood as required by Association.
3. Provide safe play area for my child.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Address

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Name

Address

Phone No.

ORDERED BY The Zoning Commissioner of Baltimore County, this 26th day of December, 1984, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 16, County Office Building in Towson, Baltimore County, on the 12th day of February, 1985, at 9:45 o'clock P.M.

*Bill Jahn*

Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR VARIANCES  
N/S of Bohn Ct., 259'  
E of Trimble Way (26  
Bohn Ct.), 14th District

: BEFORE THE ZONING COMMISSIONER  
OF BALTIMORE COUNTY

JACK C. FREELAND, JR.,  
et ux, Petitioners

: Case No. 85-224-A

## ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

*Phyllis Cole Friedman*

Phyllis Cole Friedman  
People's Counsel for Baltimore County

*Peter Max Zimmerman*

Peter Max Zimmerman  
Deputy People's Counsel  
Room 223, Court House  
Towson, MD 21204  
494-2188

I HEREBY CERTIFY that on this 30th day of January, 1985, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Jack C. Freeland, Jr., 26 Bohn Ct., Baltimore, MD 21237, Petitioners.

*Peter Max Zimmerman*

Peter Max Zimmerman

85-224-A

## BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this 26th day of December, 1985.

Petitioner Jack C. Freeland, Jr.  
Petitioner's Attorney

Received by *Nicholas B. Commodari*  
Nicholas B. Commodari  
Chairman, Zoning Plans Advisory Committee

## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 4, 1985

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

000  
Nicholas B. Commodari  
Chairman

MEMBERS  
Bureau of Engineering  
Department of Traffic Engineering  
State Roads Commission  
Bureau of Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial Development

Mr. & Mrs. Jack C. Freeland, Jr.  
26 Bohn Court  
Baltimore, Maryland 21237

RE: Item No. 169 - Case No. 85-224-A  
Petitioner - Jack C. Freeland, et ux  
Variance Petition

Dear Mr. & Mrs. Freeland:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

*Nicholas B. Commodari*  
NICHOLAS B. COMMODARI  
Chairman  
Zoning Plans Advisory Committee

NBC:bsc

Enclosures

BALTIMORE COUNTY  
FIRE DEPARTMENT  
TOWSON, MARYLAND 21204-2586  
494-4500

PAUL H. RENCKE  
CHIEF

January 7, 1985

Mr. Arnold Jablon  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

Attention: Nick Commodari, Chairman  
Zoning Plans Advisory Committee

RE: Property Owner: Jack C. Freeland, Jr., et ux

Location: N/S Bohn Ct. 259' E. Trimble Way

Item No. 169 Zoning Agenda: Meeting of 12/26/84

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- ( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals of \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 3. The vehicle dead end condition shown at \_\_\_\_\_ EXCEEDS the maximum allowed by the Fire Department.
- ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- ( ) 6. Site plans are approved, as drawn.
- ( ) 7. The Fire Prevention Bureau has no comments, at this time.

Noted and *Kay W. Zimmerman*  
REVIEWED *Bill Jahn* 1-7-85 Approved: Fire Prevention Bureau  
Planning Group  
Special Inspection Division

/mb

BALTIMORE COUNTY  
DEPARTMENT OF PERMITS & LICENSES  
TOWSON, MARYLAND 21204  
494-3610

January 7, 1985

ED ZALEWSKI, JR.  
DIRECTOR  
Mr. Arnold Jablon, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item #169 Zoning Advisory Committee Meeting are as follows:

Property Owner: Jack C. Freeland, Jr., et ux  
Location: N/S Bohn Court 259' E. Trimble Way  
Existing Zoning: D.R. 16  
Proposed Zoning: Variance to permit a private space factor of 100 sq. ft. in lieu of the required 500 square feet and to amend the Franklin Ridge Townhouses development plan by building a deck outside of the permitted building area.

Address: 16 x 75.08  
District: 14th

The items checked below are applicable:

- ( ) 1. All structures shall conform to the Baltimore County Building Code 1981/Council Bill 10-81 State of Maryland Code for the Building and Code, and other applicable Codes.
- (X) 2. A building/structure other than a permit shall be required before beginning construction.
- ( ) 3. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.
- ( ) 4. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- ( ) 5. An exterior wall erected within 6'0" for Commercial uses or 3'0" for One & Two Family use group on an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot lines. A fire wall is required if construction is on the lot line, see Table 101, Line 2, Section 1407 and Table 1402, also Section 503.2.
- ( ) 6. Requested variance appears to conflict with the Baltimore County Building Code, Section/s \_\_\_\_\_.
- ( ) 7. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- ( ) 8. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 255 and the required construction classification of Table 101.
- (X) 9. Comments - Consult with Baltimore Gas & Electric Company if construction is proposed over an existing gas line as they usually do not permit such construction. Construction over other utilities would be only if permitted by public works and would be at owners risk if repairs were ever necessary. See the attached memo on rear porches.

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,  
*Charles E. Burdum*  
Charles E. Burdum, Chief  
Plans Review

## BALTIMORE COUNTY BUILDING CODE

### RULES AND REGULATIONS

1981 BOCA SECTION 110.6

1979 1 & 2 Family, Section R-203

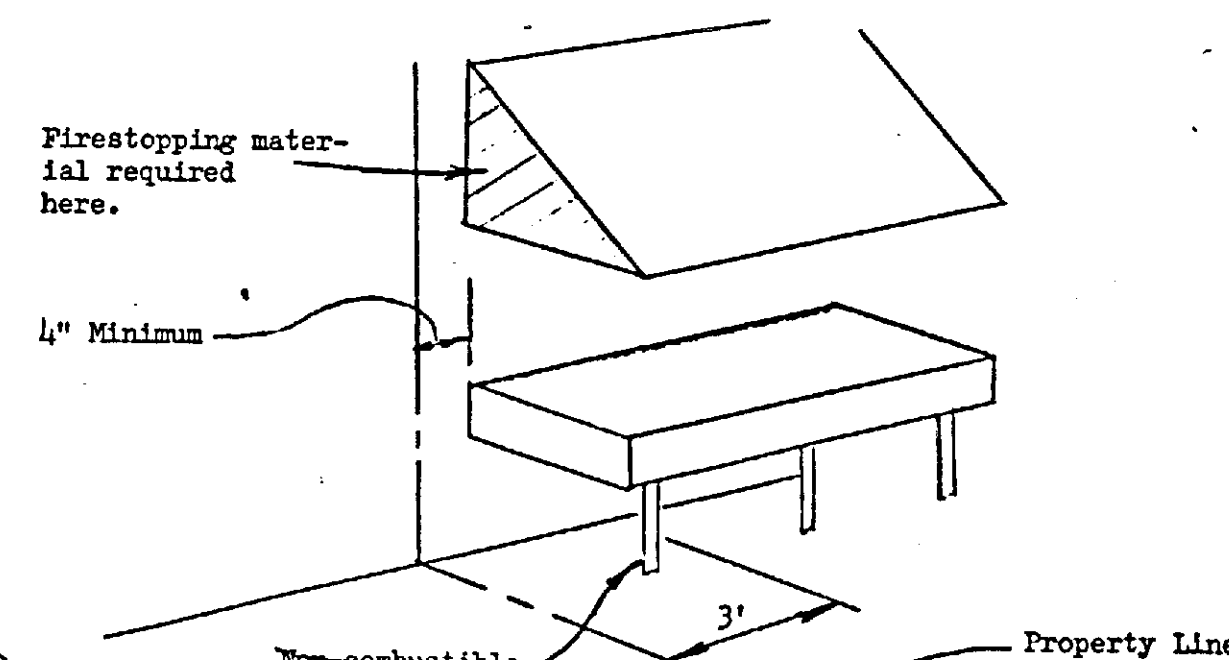
### CODE MEMORANDUM #1

#### SUBJECT:

#### A. REAR PORCHES

Rear open porches may be constructed of combustible materials up to 3 feet from a property line without any additional fire protection requirements.

Rear open porches may be constructed of combustible materials up to 4" from a property line if all facing surfaces shown (see diagram) are protected by a layer of 5/8" fire code sheet rock, fire retardant treated plywood, or other approved firestopping material and any exposed supporting members within 3 feet are non-combustible, or fire retardant treated wood.



POST-USE  
PRESSURE  
TREATED WOOD

#### B. FRONT PORCHES

Front awnings and porches may be continuous across property lines and of combustible construction if:

1. They are properly fire stopped with non-combustible materials at each interior property line.

### Code Memorandum #1 (Cont'd.)

#### B. Front Porches

2. They have no combustible supporting members within 36" of the interior property line.
3. They are limited to one story in height.
4. The adjoining owners agree in writing.
5. The porch is open front and sides.

Drywall and sheet metal are examples of non-combustible materials which are acceptable for fire stopping.

#### C. ALL PORCHES

If any porch is to be closed, it shall be considered a habitable part of the dwellings interior and shall be subjected to all of the applicable requirements that pertain to one and two family dwellings in the Baltimore County Building Code.

This does not in any way waive any requirements, such as setbacks of other County or State Departments, which may also be applicable.

*John R. Kelsinger*  
John R. Kelsinger, P.E.  
Buildings Engineer

SEP 30 1985



Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested, it will not adversely affect the health, safety, and general welfare of the community, the variance(s) should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 14th day of February, 1985, that the herein Petition for Variance(s) to permit a private space factor of 320 square feet instead of the required 500 square feet and to amend Franklin Ridge Townhouses development by building a deck outside of the permitted building area, in accordance with the site plan submitted, are GRANTED, from and after the date of this Order.

*Jan M H Jung*  
Deputy Zoning Commissioner of  
Baltimore County



BALTIMORE COUNTY  
DEPARTMENT OF PUBLIC WORKS  
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.  
DIRECTOR

January 25, 1985

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Item #169 (1984-1985)  
Property Owner: Jack C. Freeland, Jr., et ux  
N/S Bohn Ct. 259' E. Trimble Way  
Acres: 16 x 75.08  
District: 14th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

As no public facilities are involved, this office has no comment.

Very truly yours,

*James A. Markle, P.E.*  
James A. Markle, P.E., Chief  
Bureau of Public Services

JAM:EAM:ROP:ss

2/12 85-224-A



BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

ARNOLD JABLON  
ZONING COMMISSIONER

JEAN M. H. JUNG  
DEPUTY ZONING COMMISSIONER

February 14, 1985

Mr. and Mrs. Jack C. Freeland, Jr.  
26 Eohn Court  
Baltimore, Maryland 21237

RE: Petition for Variances  
N/S of Bohn Court, 259' E  
of Trimble Way (26 Bohn Court)  
14th Election District  
Jack C. Freeland, et ux-Petitioners  
Case No. 85-224-A (Item No. 169)

Dear Mr. and Mrs. Freeland:

I have this date passed my Order in the above referenced matter in accordance with the attached.

Very truly yours,

*Jan M H Jung*  
JEAN M. H. JUNG  
Deputy Zoning Commissioner

JMHJ:eoh

Attachments

cc: People's Counsel

PETITION FOR VARIANCES

14th Election District

LOCATION: North side of Bohn Court, 259 feet East of  
Trimble Way (26 Bohn Court)

DATE AND TIME: Tuesday, February 12, 1985 at 9:45 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake  
Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variances to permit a private space factor of 320 square feet instead of the required 500 square feet and to amend the Franklin Ridge Townhouses development plan by building a deck outside of the permitted building area.

Being the property of Jack C. Freeland, Jr., et ux as shown on the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF  
ARNOLD JABLON  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY



BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
TOWSON, MARYLAND 21204  
494-3353

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

1/25/85  
Re: Zoning Advisory Meeting of 12/26/84  
Item # 169  
Property Owner: Jack C. Freeland, Jr., et ux  
Locations: N/S Bohn Court  
E of Trimble Way

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- (X) There are no site planning factors requiring comment.
- (X) A County Review Group Meeting is required.
- (X) A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- (X) This site is part of a larger tract therefore it is defined as a subdivision. The plan must show the entire tract.
- (X) A record plat will be required and must be recorded prior to issuance of a building permit.
- (X) The access is not satisfactory.
- (X) The circulation on this site is not satisfactory.
- (X) The parking arrangement is not satisfactory.
- (X) Parking calculations must be shown on the plan.
- (X) This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- (X) Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-99 of the Development Regulations.
- (X) Relocation of this site may constitute a potential conflict with the Baltimore County Master Plan.
- (X) The amended Development Plan was approved by the Planning Board on 1/15/85.
- (X) Landscaping: Must comply with Baltimore County Landscape Manual.
- (X) The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is:
- (X) The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- (X) Additional comments:

cc: James Hoswell

Eugene A. Bober  
Chief, Current Planning and Development

2/12 85-224-A

Zoning Description

Beginning at a point on the North side of Bohn Court, 259' East of

Trimble Way as recorded in the Land Record of Baltimore County in

Plat Book EHK Jr. No. 39, Folio 52, Being known as Lot 159, Section 2

of Franklin Ridge Townhouses. Otherwise known as 26 Bohn Court in the 14th Election District.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon  
TO: Zoning Commissioner Date: February 5, 1985  
Norman E. Gerber, Director  
FROM: Office of Planning and Zoning  
Zoning Petition Nos. 85-219-A, 85-220-A, 85-221-A, 85-223-A,  
SUBJECT: 85-224-A, 85-225-A, 85-228-A, 85-229-A, and 85-230-A

There are no comprehensive planning factors requiring comment on these petitions.

*Norman E. Gerber*  
Norman E. Gerber, Director  
Office of Planning and Zoning

NEG/JGH/sf





BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

ARNOLD JABLON  
ZONING COMMISSIONER

February 4, 1985

Mr. Jack C. Freeland, Jr.  
26 Bohn Court  
Baltimore, Maryland 21237

RE: Petition for Variances  
N/S Bohn Court, 259' E of Trimble  
Way (26 Bohn Court)  
Jack C. Freeland, Jr. - Petitioner  
Case No. 85-224-A

Dear Mr. Freeland:

This is to advise you that \$44.85 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

ARNOLD JABLON  
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 004996

DATE 2/11/85 ACCOUNT R-01-05-000

AMOUNT \$ 44.85

RECEIVED FROM Jack C. Freeland, Jr.

FOR: advertising and posting case 85-224-A

B 009\*\*\*\*\*4455 to 5125F

VALIDATION OR SIGNATURE OF CASHIER

January 14, 1985

Mr. Jack C. Freeland, Jr.  
26 Bohn Court  
Baltimore, Maryland 21237

NOTICE OF HEARING

RE: Petition for Variance  
N/S Bohn Court, 259' E of Trimble  
Way (26 Bohn Court)  
Jack C. Freeland, Jr. - Petitioner  
Case No. 85-224-A

TIME: 9:45 a.m.

DATE: Tuesday, February 12, 1985

PLACE: Room 106, County Office Building, 111 West Chesapeake  
Avenue, Towson, Maryland

ARNOLD JABLON  
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 003104

DATE 12/11/84 ACCOUNT 01-615-000

AMOUNT \$ 35.00

RECEIVED FROM Jack C. Freeland, Jr.

FOR: Filing Pet. for Variance #159

C 013\*\*\*\*\*3500 to 0114F

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

TOWSON, MD. January 24, 1985

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on January 24, 1985.

THE JEFFERSONIAN,

JB Venetian  
Publisher

Cost of Advertising  
\$ 20.00

PETITION FOR VARIANCE

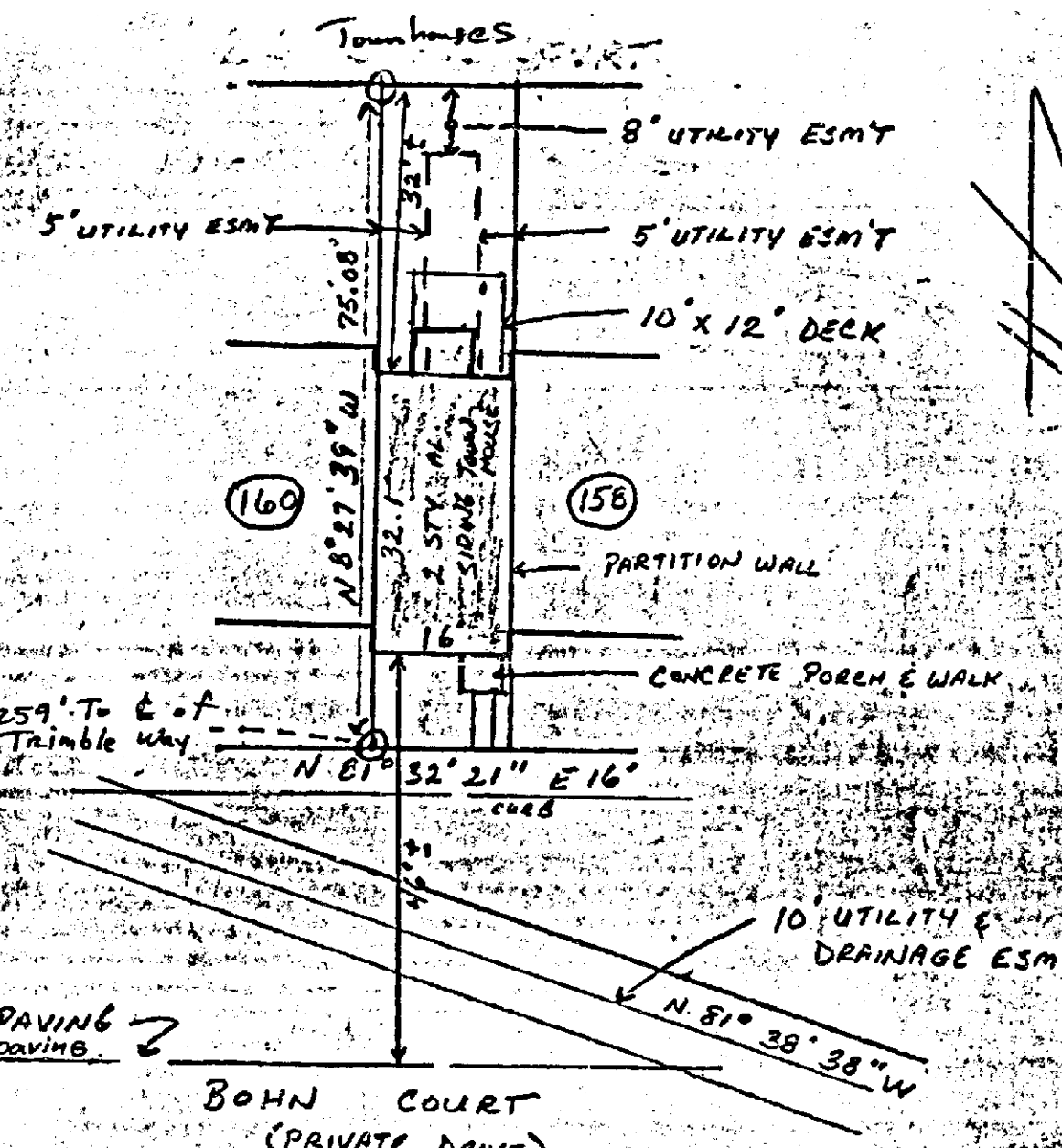
16th Election District  
LOCATION: North side of Bohn Court, 259' E of Trimble Way (26 Bohn Court)  
DATE AND TIME: Tuesday, February 12, 1985 at 9:45 a.m.  
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: Petition for Variance to permit a private space factor of 320 square feet instead of the required 800 square feet and to amend the Franklin Ridge Townhouse development plan by building a deck outside of the permitted building area. Being the property of Jack C. Freeland, Jr., et ux as shown on the plat filed with the Zoning Office. In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing. By Order Of ARNOLD JABLON, Zoning Commissioner of Baltimore County Jan. 24.

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

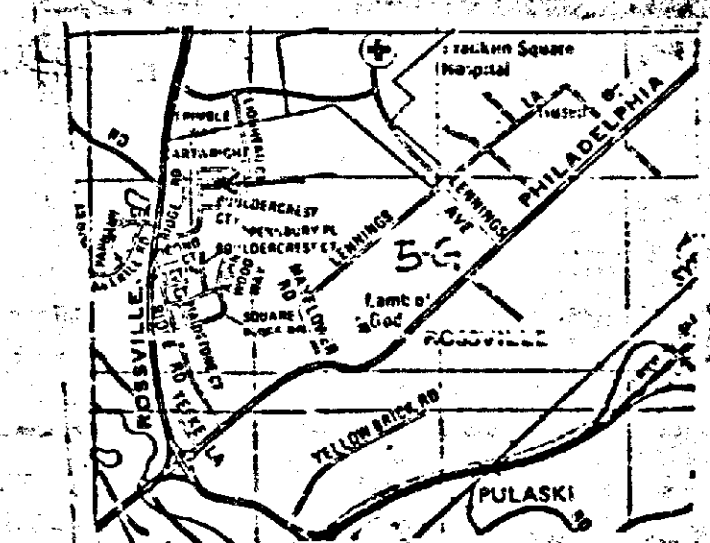
85-224-A  
1:45 P.M.

District: 14th  
Posted for: Variance & Amendment development plan  
Petitioner: Jack C. Freeland, Jr., et ux  
Location of property: N/S Bohn Ct., 259' E of Trimble Way, 26 Bohn Ct., 21237  
Location of Signs: Freeland, et ux, 259' E of Bohn Ct., Room 106, County Office Building, on property of Baltimore County  
Remarks: [Signature]  
Posted by: [Signature] Date of return: 2/12/85  
Number of Signs: 1



REQUESTING A VARIANCE AND AMENDMENT TO PARTIAL DEVELOPMENT PLAN OF FRANKLIN RIDGE SECTION 2 LOT #159 TO PERMIT A 10' x 12' DECK ATTACHED TO THE REAR OF THE DWELLING. THIS REDUCING FROM APPROX 512 SQUARE FT. AREA TO 392 SQUARE FT. AREA

OWNER: JACK C. & MARY A. FREELAND  
SUBDIVISION: FRANKLIN RIDGE TOWNHOUSES  
LOT 159 BLK 18 SECTION 2  
SCALE: 1" = 20'  
DATE: 12-11-84  
ELECTION DISTRICT: 14th NE 5G



Petition for Variance

16th Election District  
LOCATION: North side of Bohn Court, 259' E of Trimble Way (26 Bohn Court)  
DATE AND TIME: Tuesday, February 12, 1985 at 9:45 a.m.  
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland  
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: Petition for Variance to permit a private space factor of 320 square feet instead of the required 800 square feet and to amend the Franklin Ridge Townhouse development plan by building a deck outside of the permitted building area. Being the property of Jack C. Freeland, Jr., et ux, as shown on plat filed with the Zoning Office. In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing. By Order Of ARNOLD JABLON, Zoning Commissioner of Baltimore County

The Times

Middle River, Md., Jan 24 1985  
This is to certify, That the annexed Petition Reg L 67498 was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of 2 successive weeks before the 24th day of January, 1985  
Publisher.